# Law Offices of Bonnie J. Mizdol, L.L.C.

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#### December 5, 2002

### Via Certified Mail/Return Receipt Requested

Seth Ausubel
Remedial Project Manager
United States Environmental Protection Agency
Region II
Emergency and Remedial Response Division
290 Broadway, 19th Floor
New York, New York 10007-1866

Clay Monroe Assistant Regional Counsel Office of Regional Counsel 290 Broadway, 17<sup>th</sup> Floor New York, New York 10007-1866

RE: Request for Information Pursuant to Comprehensive Environmental Response;

Compensation and Liability Act, 42 U.S.C. Section 9601 et seq., re: The Berry's Creek

Study Area, Bergen County, New Jersey Site: Trans Continental Trucking Site

200 Central Avenue, Teterboro, Bergen County, New Jersey

Dear Messrs. Ausubel & Monroe:

Enclosed please find Request for Information completed in accordance with your instructions

regarding the above-referenced property.

Bønnie J. Mizdol, Esq.

ruly yours.

BJM:bz

Encl.

cc: Mr. Michael Sylvestri (w/encl.)

Michael Sylvestri, President

Transcontinental Trucking Corp.

Site: 200 Central Avenue, Teterboro, Bergen County, New Jersey

#### Response to Request for Information

To the best of my knowledge, information and belief:

- a. Transcontinental Trucking Corp.
   formerly located at 24 Grove Street
   South Hackensack, New Jersey 07606
   Ceased doing business on August 1, 2001
  - b. Corporation
  - c. Michael Sylvestri
  - d. Not Applicable
  - e. Incorporated in State of New Jersey, Date Unknown
  - f. Danis Transportation Company, Inc.
     60 Industrial Avenue
     Cumberland, Rhode Island 02604
- 2. Transcontinental Trucking Corp., had a license to use one (1) 10,000 gallon diesel fuel tank on the premises at 200 Central Avenue, Teterboro, New Jersey, from approximately 1984 through 1997.
- 3. Transcontinental Trucking Corp., was engaged in the trucking and hauling business.
- 4. Transcontinental Trucking Corp., had a license to use one (1) 10,000 gallon diesel fuel tank on the premises at 200 Central Avenue, Teterboro, New Jersey, from approximately 1984 through 1997.
- 5. Transcontinental Trucking Corp., never had possession of the site, only use of the single diesel fuel tank described in Answer No. 4 above. The Landlord, Thomas Marshall had a warehousing operation on the site. Information concerning that operation can be secured from John B. Landers, Esq., 185 Linden Street, Hackensack, New Jersey 07601, the Landlord's attorney.
- 6. a. Site used by Transcontinental Trucking Corp. solely for the purpose of re-fueling tractor-trailers.
  - b. No products manufactured, supplied or sold.

- c. No research and/or development activities.
- d. Not Applicable.
- 7. Transcontinental ceased use of the site on or about 1997.
- 8. Transcontinental generated no hazardous waste at the site.
- 9. None to my knowledge.
- 10. Transcontinental stored nothing other than diesel fuel at the site.
- 11. Truckloads of diesel fuel delivered in a maximum quantity of 10,000 gallons per delivery.
- 12. Tractor-trailers were fueled at the site.
- 13. Not Applicable.
- 14. In the late 1980s or early 1990s Fuel Tank Maintenance Service of Ridgefield Park, New Jersey, conducted a clean-up on the site, overseen by Neil Edsell, of the County of Bergen, New Jersey.

In addition, the Landlord advises that there are two other NJDEP Case Numbers affecting the property. Deponent has no knowledge of the nature of either of these cases, but is certain that they did not involve Transcontinental Trucking Corp.

NJDEP Case No. 89-07-12-0920

NJDEP Case No. 98-09-14-1316-26

Case Officer at NJDEP is Ms. Judy Morrow

Marshall Warehouse has retained, Excel Environmental Resources, Inc., located at 825 Georges Road, 2<sup>nd</sup> Floor, North Brunswick, New Jersey, 08902, Attn: Brian S. Ricker, Telephone No. (732) 545-9525 to obtain no further action letters.

- 15. In or about the late 1980s or early 1990s, a diesel fuel delivery was made. The diesel fuel distributor's delivery man left the cap off the top of the tank causing water to enter the tank and overflow. I cannot recollect the name of the diesel fuel distributor, but remember the company was located in Hawthorne, New Jersey and subsequently went out of business. Fuel Tank Maintenance Service of Ridgefield Park, New Jersey, conducted a clean-up on the site, overseen by Neil Edsell, of the County of Bergen, New Jersey.
- 16. None to my knowledge.
- 17. Other than storage of diesel fuel, none to my knowledge.
- 18. Other than storage of diesel fuel, none to my knowledge.

- 19. No other documentation or information available.
- 20. General assistance from my counsel, Bonnie J. Mizdol, Esq.75 Essex Street, Suite 104, Hackensack, New Jersey 07601.
- 21. All documents previously in Transcontinental Trucking Corp.'s, possession have been destroyed. Only document consulted was letter annexed from John B. Landers, Esq., attorney to the landowner, Thomas Marshall.

#### CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey

County of Bergen:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

Michael Sylvestri, President

NAME (print or type)

Transcontinental Trucking Corp.

TITLE (print or type)

SIGNATURE

Sworn to before me this 4th

day of December 2002

Bonnie Nothry Public Bonnie Zadol, An Attorney at Law of the State of New Jersey

#### **REQUEST FOR INFORMATION**

- 1. a. State the correct legal name and mailing address of your Company.
  - b. Identify the legal status of your Company (corporation, partnership, sole proprietorship, specify if other) and the state in which your Company was organized or formed.
  - c. State the name(s) and address(es) of the President, Chairman of the Board, and the Chief Executive Officer of your Company.
  - d. If your Company is a subsidiary or affiliate of another corporation, or has subsidiaries, identify each such entity and its relationship to your Company, and state the name(s) and address(es) of each such entity's President, Chairman of the Board, and Chief Executive Officer.
  - e. Identify the state and date of incorporation and the agent for service of process in the state of incorporation and in the State of New Jersey for your Company and for each entity identified in your response to question 1.d., above.
  - f. If your Company is a successor to, or has been succeeded by another entity, identify such other entity and provide the same information requested in question 1.e., above.
- 2. Provide a description of the Site, i.e. the property or properties in Teterboro, Bergen County, New Jersey, which your Company owned or owns, or upon which it operated or leased, or currently operates or leases. Include Block and Lot numbers, names of streets or physical features bounding the property(ies), and acreage.
- 3. Provide a narrative description of the nature of the Company's business. If the nature of the Company's business changed over time, please explain how it changed, (including any name changes) and approximately when the changes occurred.
- 4. Please specify the time period during which the Company leased, owned, and/or operated the Site. If the Company leased, owned or operated at portions of the Site, specify the time periods of such involvement, and appropriate block and lot numbers. If your Company ever leased the Site, provide copies of leases, names, current addresses and telephone numbers of each owner of the Site during the period the Company leased the Site.
- 5. Describe the Site at the time the Company took possession of it. If there was any business at the Site, explain the nature of that business.
- 6. Describe in detail the nature of the activities conducted by the Company at the Site from the time the Company began operations at the Site until the present time, including:
  - a. the services performed at the Site;
  - b. all products which the Company manufactured, supplied, or sold which resulted from activities at the Site:
  - c. research and development activities; and

- d. the time period during which those activities occurred.
- 7. Did your Company cease operations at the Site? If so, when? Describe the circumstances that precipitated your Company's decision to cease operations at the Site.
- 8. Did your company generate hazardous wastes at the Site, or does your company currently do so? Please describe your company's treatment, storage and/or disposal practices for any hazardous wastes generated at the Site.
- 9. Provide a list of all local, state and federal environmental permits ever granted for the Site or any part thereof (e.g., RCRA permits, NPDES permits, etc.)
- 10. List all hazardous substances (as defined in the "Instructions"), which were, or are, used, stored, or handled at the Site.
- 11. State when and where each substance identified in your response to Question 10 was, or is, used, stored, or handled at the Site and the volume of each substance.
- 12. Describe in detail how and where the hazardous wastes, industrial wastes, and hazardous substances generated, handled, treated, and stored at the Site were, or are, disposed of. If any hazardous wastes, hazardous substances, or industrial wastes were, or are, taken off-site for disposal or treatment, state the names and addresses of the transporters and the disposal facility used.
- 13. Who determined, or determines, where to treat, store, and/or dispose of the hazardous substances and/or hazardous wastes handled at the Site? Provide the names and current or last known addresses of any entities or individuals which made such determination.
- 14. Describe in detail the remedial activities conducted at the Site under CERCLA, the Resource Conservation and Recovery Act (RCRA), and/or laws of the State of New Jersey. Describe your Company's involvement in the remedial activities.
- 15. Identify all leaks, spills, or releases into the environment of any hazardous substances, pollutants, or contaminants that have occurred, or are occurring, at or from the Site. Specifically identify and address any leaks, spills, or releases to the Berry's Creek Study Area. Identify:
  - a. when such releases occurred;
  - b. how the releases occurred:
  - c. the amount of each hazardous substances, pollutants, or contaminants so released (for substances contained in any sewage effluent from the Site, provide discharge monitoring reports or other data indicating discharge concentrations and loads, as available):
  - d. where such releases occurred;
  - e. where such releases entered the Berry's Creek Study Area, if applicable; and
  - f. the pathway by which such releases entered the Berry's Creek Study Area, including any

storm sewers, pipes, or other conveyances discharging to a water body or wetland; or via surface runoff, groundwater discharge, or any spills, leaks, or disposal activities.

- 16. Please complete the form on page 5, below. Indicate on the form whether each of the chemicals listed has ever been released from the Site to the Berry's Creek Study Area, including creeks, ditches, or other water bodies, or wetlands. Follow all additional instructions on the form. In addition, please answer Question 15, above, specifically addressing any chemicals for which you answered "yes".
- 17. Identify all companies, firms, facilities, and individuals (hereafter referred to as "customers") from whom your Company obtained, or obtains, materials containing Industrial Waste as defined in Number 6 of the Definitions and whose Industrial Waste was, or is, treated, stored, handled or disposed of at the Site. For each such customer:
  - a. Describe the relationship (the nature of services rendered and products purchased or sold) between your Company and the customer;
  - b. Provide Copies of any agreements or/and contracts between your Company and the customer;
  - c. Provide the name and address of each customer who sent such materials, including contact person(s) within said customer;
  - d. Provide shipping and transaction records pertaining to such Industrial Wastes sent by each customer, including but not limited to invoices, delivery receipts, receipts acknowledging payment, ledgers reflecting receipt of payment, bills of lading, weight tickets, and purchase orders; and
  - e. Provide the name and address of all companies and individuals who transported, or transport, Industrial Wastes to the Site.
- 18. For each customers' Industrial Wastes handled, treated, stored, or disposed of at the Site, describe:
  - i. the volume;
  - ii. the nature;
  - iii. chemical composition;
  - iv. color;
  - v. smell;
  - vi. physical state (e.g., solid, liquid);
  - vii. any other distinctive characteristics; and
  - viii. the years during which each customer's materials were handled, treated, stored, or disposed of at the Site.
- 19. Please supply any additional information or documents that may be relevant or useful to identify other companies or sources that sent industrial wastes to the Site.
- 20. Please state the name, title and address of each individual who assisted or was consulted in the preparation of your response to this Request for Information and correlate each individual to the

question on which he or she was consulted.

21. For each question herein, identify all documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the question and provide true and accurate copies of all such documents.

## Request for Information Regarding Chemical Releases to the Berry's Creek Study Area

<u>Instructions</u>: As instructed in Question 16, please complete this form by marking the appropriate spaces. Indicate whether each of the chemicals listed has ever been released from the Site to the Berry's Creek Study Area, including creeks, ditches, or other water bodies, or wetlands. Follow additional instructions below. Return the completed form along with your other responses to the Request for Information in the Matter of the Berry's Creek Study Area, Bergen County, New Jersey. N/A signifies no information available.

	Yes	No -	₽N/A
acenaphthene			
acenapthylene			
anthracene			
aluminum			
antimony			
iarsenie: 1900 de la company			
benz(a)anthracene			
benzene			
benzo(a)pyrene			
benzo(b)fluoranthene			
benzo(g,h,i)perylene		***************************************	
benzo(k)fluoranthene			
bis(2-ethylhexyl)phthalate			
butyl benzyl phthalate			
cadmium			
chlorinated dibenzo-p-droxins (if		7.1	
"yes", please list specific dioxin			
compounds on a separate sheet) chlorinated dibenzofurans (if	-11-22-21-		
"yes", please list specific			
compounds on a separate sheet)			
chlorobenzene a v			
chloroform			
chromium	2		
chrysene			
ecopper and the second			
cyanide	A	75.4	
dibenz(a,h)anthracene			
dichlorobenzene			
1,2-dtehloroethene			
di-n-butyl phthalate			
1,2-dichlorobenzene			
1,2-dichloroethane	32 92 92 92		
dieldrin			
di-n-octyl phthalate			
ethylbenzene			
fluoranthene			
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	Vec	⊭No-	NI/A-I
fluorene		140	
hexachlorobenzene			
indeno(1,2,3-cd)pyrene			
lead a Hill of the second			
manganese			
mercury-			
methylene chloride			
methyl ethyl ketone			
methyl mercury			
2-methylnaphthalene			
naphthalene		****	
nickel pentachlorophenol		•	
petroleum hydrocarbons			
phenanthrene			Parameter Service
phénol			
polychlorinated biphenyls (if "yes"			
please list specific congeners and	ļ ·,	·	
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please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons			
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please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons (if: "yes", please list specific compounds on a separate sheet, if not listed on this page)  pyrene selenium silver 1,1,2,2-tetrachloroethane tetrachloroethylene			
please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons (if "yes", please list specific compounds on a separate sheet, if not listed on this page)  pyrene selenium silver 1.12.2-tetrachloroethane tetrachloroethylene thallium			
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please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons (it "yes", please list specific compounds on a separate sheet, if not listed on this page)  pyrene  selenium  silver  1,1,2,2-tetrachloroethane tetrachloroethylene thallium toluene  1,2-trans/dichloroethylene 1,1,1-trichloroethane			
please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons (if "yes" please list specific compounds on a separate sheet, if not listed on this page)  pyrene selenium silver 1,1,2,2-tetrachloroethane tetrachloroethylene thallium toluene 1,2-trans/dichloroethylene 1,1,1-trichloroethylene trichloroethylene			
please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons (iff "yes", please list specific compounds on a separate sheet, iff not listed on this page)  pyrene selenium silver 1:1,2,2-tetrachloroethane tetrachloroethylene thallium toluene 1,2-trans/dichloroethylene 1,1,1-trichloroethylene trichloroethylene vinyl chloride			
please list specific congeners and aroclors on a separate sheet)  polycyclic aromatic hydrocarbons (if "yes", please list specific compounds on a separate sheet, if not listed on this page)  pyrene selenium silver 1:1:2:2-tetrachloroethane tetrachloroethylene thallium toluene 1;2-trans/dichloroethylene 1,1,1-trichloroethylene trichloroethylene			